

REMARKS

The Applicants have now had an opportunity to carefully consider the comments set forth in the Office Action that was mailed August 10, 2009. All of the rejections are respectfully traversed. The Office's continued reference to Khemani, which was filed two years after the present application is noted and questioned. Additionally, it is respectfully submitted that the Office Action is not completely responsive. Re-examination and reconsideration of the application are respectfully requested.

The Office Action

In the Office Action that was mailed August 10, 2009:

no Response to Arguments was provided;

claims 26-30, 32-35, 36-40 and 42-44 were again rejected under 35 USC §103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0015559 A1 to Goldstein ("Goldstein") and U.S. Patent Application Publication No. 2006/0015570 A1 to Khemani et al. ("Khemani"); and

claims 31 and 44(41?) were rejected under 35 USC §103(a) as being unpatentable over Goldstein in view of U.S. Patent Application Publication No. 2003/0014650 A1 by Freed et al. ("Freed").

The Office Action Is Not Completely Responsive

Section 707.07(F) of the MPEP asserts that in order to provide a complete application file history and to enhance the clarity of the prosecution history record, an Examiner **must** provide clear explanations **of all actions** taken by the Examiner during prosecution of an application. Additionally, the same section asserts that "where the Applicant traverses any rejection, the Examiner should, if he or she repeats the rejection, take note of the Applicant's argument and **answer the substance of it.**"

In the present case, the Office Action repeats the rejections of **claims 26-30, 32-35, 36-40 and 42-44** that were presented in the Office Action that was mailed April 13, 2009. The Applicant traversed these rejections throughout Applicants' Amendment C, which was filed electronically on June 4, 2009 and directly on pages 6-12 of that document.

The present Office Action does not take note of any of the Applicants' arguments. Moreover, **the present Office Action does not answer the substance** of any of Applicants' arguments.

For the foregoing reasons, the Applicants have been denied an opportunity to better understand the position of the Office, and **no clear issue has been developed** between the Examiner and the Applicants. Accordingly, it is respectfully submitted that the next Office Action should not be made final (MPEP §706.07).

The Present Application

By way of brief review, the present application is directed toward a system for remotely supporting a family of products even when the products are deployed in the field. For example, as recited in independent **claim 36**, embodiments include a system for remotely supporting a family of document processing products even when the document processing products are deployed in the field. The system provides for an **interchangeable device model**. For example, **each device model** (122, 123) provides the system with information regarding classes of information that can be communicated to and from a respective product of the family of products. Additionally, a respective device model includes at least identifications of classes of information that can be communicated to and/or from each of the products of the family of products. A device model **agent** is operative to use information in the device model to provide communication services between a respective unit associated with the device model and other system elements, such as a services host server. The device model **agent** (or code therefor) can be reused in a wide variety of products or in association therewith. The device model can be customized on a device-by-device basis. Accordingly, the system can support a broad family of products without the need to write and/or update custom code in association with each product. **Instead**, all that need be provided for the system to support a new or revised product is a new or revised device model for that product. The claimed device model or interchangeable device model and model agent hide the details of devices from other parts of the system and thereby allow a single system to support a wide variety of products.

The Cited Documents

In contrast, the primary reference of the Office Action to Goldstein **does not disclose or suggest** an interchangeable device model or a device model agent that is operative to read and use information from the device model. Even if Goldstein discusses an apparatus and method for providing customer service, Goldstein **does not disclose or suggest** the same apparatus and methods disclosed in the present application and recited in **claims 26-44**. While cited paragraph 33 makes reference to a --model number-- of an apparatus, and discusses a transmitted message including a product identifier, paragraph 33 **does not disclose or suggest** an interchangeable device model which includes identifications of classes of information that can be communicated to and/or from each of the products of the family of products and mappings indicating how the classes of information can be communicated to or from the first product as alleged by the Office Action. Even if, as alleged by the Office Action, paragraph 33 indicates that information about a device is provided to a representative and even if paragraph 33 indicated that a router is configured to ensure a message from the apparatus is routed or mapped to a terminal, that **does not disclose or suggest** that a device model agent reads information from a device model including mappings indicating how classes of information can be communicated to or from the product, and uses that mapping information to facilitate communications between the product and another system element. Goldstein **does not disclose or suggest** an interchangeable device model (e.g., see 122 of Fig. 13 of the present application).

Similarly, contrary to the assertions of the Office Action, reference numeral 107 of Fig. 4 of Goldstein, which merely indicates --provide customer service representative with information necessary to diagnose user's problem--, **does not disclose or suggest** at least one representative device model agent that is operative to read the interchangeable device model. Additionally, reference numeral 107 **does not disclose or suggest** a device model agent that is operative to access information in at least one respective unit and to provide information to the at least one respective unit according to the interchangeable device model.

Even if the cited element of Fig. 4 could be construed to suggest communicating with at least one other element of a system regarding at least one unit over a

communication's link, reference numeral 107 of Fig. 4 **does not disclose or suggest** that a device model agent performs such communication.

It is respectfully submitted that the secondary reference of the Office Action to Khemani does not cure the deficiencies of Goldstein. For example, the Office Action does not allege that Khemani discloses or suggests the elements of **claim 26** discussed above. Furthermore, **Khemani is not available as a reference** against the claims of the present application. The present application was filed on October 16, 2003. Khemani resulted from an application filed on June 29, **2005** which claims priority to a provisional application that was filed on June 30, **2004**. Accordingly, the present application predates Khemani, and Khemani is not available as prior art against the claims of the present application.

Freed allegedly discusses a load balancing secure sockets layer accelerator. Freed includes the word --proxy--.

However, Freed **does not disclose or suggest** at least one respective device model agent is at least one of implemented as a device proxy and implemented in a device proxy within the application server as is recited in **claims 31** and **41** of the present application.

The Claims Are Not Obvious

Claims 26-30, 32-40 and **42-44** were rejected under 35 USC §103(a) as being unpatentable over Goldstein in view of Khemani.

However, the present application was filed on October 16, 2003 and claims priority to provisional applications filed in mid-October of **2002**, while Khemani is a U.S. patent application publication, which was published on January 19, 2006 from an application filed on June 29, 2005 and claiming priority to a provisional application filed on June 30, **2004**. Accordingly, **Khemani is not prior art** with respect to the claims of the present application.

For the foregoing reasons, to the extent that Khemani is relied on, **claims 26-44** are not anticipated and are not obvious in light of Goldstein and Khemani.

With regard to the interchangeable device model recited in independent **claim 26**, the Office Action cites portions of paragraph 33 of Goldstein.

However, paragraph 33 indicates that a product identifier is included in a message that is transmitted to a customer service representative and that a routing device may be configured to ensure that the message is routed to a terminal that is used by a customer service representative that is familiar with the design of the apparatus. Paragraph 33 **does not disclose or suggest** an interchangeable device model. While paragraph 33 indicates that a product identifier may be a model number, that does not disclose or suggest an interchangeable device model of the type recited in **claim 26**. For example, the device model of **claim 26** includes identifications of classes of information that can be communicated to and from each of the products of a family of products. Furthermore, the device model of **claim 26** includes mappings indicating how the classes of information can be communicated to and/or from the first product. It is respectfully submitted that a customer service representative is not a product. Additionally, it is noted that the assertions of the Office Action appear to be inconsistent. The assertions first appear to draw an analogy between the apparatus 15 of Goldstein and the device or first product recited in **claim 26**. Then the Office Action refers to a mapping to the terminal of the customer service representative of Goldstein as if it were analogous to the device or first product recited in **claim 26**. It is respectfully submitted that this inconsistency is symptomatic of the fact that Goldstein **does not disclose or suggest** the types of components recited in **claim 26** or the inter-relationships of components recited in **claim 26** of the present application.

With regard to the recitation of at least one respective device model agent in **claim 26**, the Office Action cites reference numeral 107 of Fig. 4 of Goldstein.

However, reference numeral 107 identifies a step described as: “provide customer service representative with information necessary to diagnose user’s problem.” It is respectfully submitted that the mere indication that a customer service representative is provided with information **does not disclose or suggest** that the information is provided to the customer service representative by at least one device model agent that is operative to read the interchangeable device model and access information in the at least one respective unit and to provide information to the at least one respective unit according to the interchangeable device model.

For at least the foregoing reasons, **claim 26**, as well as **claim 27-35**, which depend therefrom, is not anticipated and is not obvious in light of Goldstein and Khemani.

With regard to the recitation of a services host server, the Office Action cites reference numeral 55 of Fig. 1 and paragraph 33 of Goldstein.

However, neither Fig. 1 nor the cited paragraph disclose or suggest that the cited customer service system is operative to exchange information with the at least one respective device model agent as is recited in **claim 26**. Furthermore, it is respectfully submitted that the Office is applying **impermissible hindsight reasoning** to read the vague discussion of a model number of the apparatus or any other type of information that allows a customer service representative to identify the apparatus or a component of the apparatus included in the first sentence of paragraph 33 as disclosing or suggesting the particular details recited in the description of the services host server of **claim 26** including unit configuration parameters, unit status information, available upgrade information, selected upgrade information, selected downgrade information, available update information, requested update information, an error message, and service request information.

For at least the foregoing additional reasons, **claim 26**, as well as **claims 27-35**, which depend therefrom, is not anticipated and is not obvious in light of Goldstein and Khemani.

With regard to **claim 27**, the Office Action cites lines 17-24 of paragraph 33 of Goldstein in regard to the recitation in **claim 27** of a second interchangeable device model for a second product selected from the family of device models wherein the second interchangeable device model includes mappings indicating how the classes of information can be communicated to and/or from the second product.

However, the cited portion of paragraph 33 indicates that a routing device, based on the product identifier transmitted from the apparatus, may be configured to ensure that the message from the apparatus is routed to a terminal that is used by a customer service representative who is familiar with the design of the apparatus or of the component identified by the product identifier. It is respectfully submitted that discussion of routing a message to a person that is familiar with a product identified in

the message does not disclose or suggest a second interchangeable device model as recited in **claim 27**.

For at least the foregoing additional reasons, **claim 27** is not anticipated and is not obvious in light of Goldstein and Khemani.

With regard to the recitation of at least one respective copy of the device model agent, the Office Action again cites reference numeral 55 of Fig. 1 and paragraph 33, lines 1-5.

In this regard, arguments similar to those submitted above with regard to **claim 26** and the recitation of the device model agent therein are submitted in support of **claim 27**. The depiction of the customer service system 55 in Fig. 1 and the indication that a product identifier is included in a message included in the cited portion of paragraph 33 **does not disclose or suggest** at least one respective copy of the device model agent that is operative to read the second interchangeable device model and access information in the at least one second respective unit of the second product, as is recited in **claim 27**.

Claim 28 recites at least one service provider that is operative to exchange information with the services host over at least one communications link and to provide at least one of: updated software, software upgrades, billing services, maintenance services and repair services for the at least one unit according to at least one of the unit's status information, the selected upgrade information, the requested update information, the error message and the service request information received from the at least one unit.

In this regard, the Office Action again relies on reference numeral 107 of Fig. 4 and lines 1-5 of paragraph 33 of Goldstein.

However, **claim 28** recites an additional system element, i.e., at least one services provider. It is respectfully submitted that depiction of providing a customer service representative with information necessary to diagnose a user's problem does not disclose or suggest the services provided or recited in **claim 28**. Lines 1-5 of paragraph 33 indicate that a product identifier included in a message may be a model number or other type of identifying information. It is respectfully submitted that the indication that a product identifier may be a model number does not disclose or suggest

at least one services provider as recited in **claim 28**. Moreover, it is respectfully submitted that only impermissible hindsight reasoning could lead one to read the cited portions of Goldstein as disclosing or suggesting the at least one services provider recited in **claim 28**.

For at least the foregoing additional reasons, **claim 28** is not anticipated and is not obvious in light of Goldstein and Khemani.

With regard to **claim 29**, the Office Action only cites reference numerals 25 and 32 of Fig. 2 of Goldstein.

However, nothing in the depiction of memory 25 and processing element 32 of the electric apparatus of Fig. 2 discloses or suggests that a device model agent is at least one of implemented as a process included in the at least one respective unit and implemented within a physical add-on module that is connected to the respective at least one unit. Fig. 2 does not disclose or suggest a device model agent. Nothing in the depiction of generic control logic 21 or generic App. Program 34 discloses or suggests a device model agent such as is recited in **claim 26**.

Moreover, it is respectfully submitted that only impermissible hindsight reasoning would lead one to interpret the depiction of memory 25 and processing element 32 of Fig. 2 as disclosing or suggesting a device model agent implemented as recited in **claim 29**.

For at least the foregoing additional reasons, **claim 29** is not anticipated and is not obvious in light of Goldstein and Khemani.

With regard to **claim 30**, the Office Action cites reference numerals 52A-52E of Fig. 1 and reference numeral 52 of Fig. 3.

However, the cited reference numerals depict customer service terminals. It is respectfully submitted that the customer service terminals of Goldstein display messages to customer service representatives and allows a customer service representative to transmit voice data to request information from a user of a device or apparatus (e.g., paragraph 37). It is respectfully submitted that Goldstein **does not disclose or suggest** that a customer service terminal 52 is an application server that is operative to receive application software modules from at least one service provider and make the software application modules available for transmission to an installation in

the at least one respective device model agent for performing new services in conjunction with the at least one respective unit as is recited in **claim 30**.

Moreover, it is respectfully submitted that only **impermissible hindsight reasoning** would lead one to read the discussion of the terminals 52 of Goldstein as being application servers as recited in **claim 30**.

For at least the foregoing additional reasons, **claim 30** is not anticipated and is not obvious in light of Goldstein and Khemani.

With regard to **claim 32**, the Office Action cites lines 16-20 of paragraph 28 of Goldstein.

However, the cited portion indicates that the customer service terminal 52A includes a communications interface that allows the terminal 52A to exchange data with the network 42. The interface may be wireless or non-wireless.

However, **claim 32** recites an application programming interface. It is respectfully submitted that Goldstein **does not disclose or suggest** that the customer service terminal 52A is an application programming interface. Furthermore, **claim 32** indicates that the application programming interface is operative to select one or more communication means from available communication means. It is respectfully submitted that the cited portion of paragraph 28 **does not disclose or suggest** that the customer service terminal is operative to select one or more communication means from an available set of communication means.

For at least the foregoing additional reasons, **claim 32** is not anticipated and is not obvious in light of Goldstein and Khemani.

With regard to **claim 33**, the Office Action cites lines 4 and 5 of paragraph 41 of Goldstein.

However, the cited lines indicate that the apparatus 15 and terminal 52 may exchange data via internet protocol (IP). It is respectfully submitted that the cited portion **does not disclose or suggest** an application programming interface. Furthermore, the cited portion does not disclose or suggest an application programming interface that supports communication by at least HTTP, HTTPS, JMS, email, 10BaseT, 100BaseT, 10Base2, Modem, IEEE 802.11X, and Bluetooth, protocols as recited in **claim 33**.

For at least the foregoing additional reasons, **claim 33** is not anticipated and is not obvious in light of Goldstein and Khemani.

With regard to **claim 34**, the Office Action cites lines 5-10 of paragraph 47.

However, the cited portion indicates that control logic 21 may be configured to transmit portions of diagnostic data upon request by either the user or the customer service representative. Furthermore, the cited section indicates, the control logic 21 may be configured to respond to commands transmitted from the terminal 52A just as if the commands were entered by the user of the apparatus 15. It is respectfully submitted that the cited portion does not disclose or suggest **a device model agent** or that **a device model agent** is further operative to at least one of: add at new service received from an applications server to the device model agent, start a service running and stop a service, as recited in **claim 34**.

The Office Action asserts that **claims 36-40** and **42-44** are system claims corresponding to system **claims 26-34**, respectively, and are rejected under the same reason set forth in the rejection of **claims 26-34**, above.

To the extent that this assertion is accurate, arguments similar to those submitted in support of **claims 26-34** are submitted in support of **claims 36-40** and **42-44**.

Additionally, it is noted that **claims 36-40** and **42-44** are directed toward a system for remotely supporting a family of document processing products and recite aspects particular thereto. For example, **claim 36** recites a services host server that is operative to exchange information including at least one of: unit billing meter configuration parameters, billing meter readings, unit document processor consumables supply information, available document processor functions that can be added to the unit, selected document processor functions to be added to the unit, selected document processor functions to be deleted from the capabilities of the unit.

Claim 37 also recites aspects particular to a second document processing product.

Claim 38 recites aspects related to the unit document processor consumables status information and the selected document processing functions to be added to the unit.

For at least the foregoing additional reasons, **claims 36-40** and **42-44** are not anticipated and are not obvious in light of Goldstein and Khemani.

Claims 31 and **44(41?)** were rejected under 35 USC §103(a) as being unpatentable over Goldstein in view of Freed.

While the introduction to the rejection makes reference to **claim 44**, it appears that the Office Action intended to reject **claim 41** and not **claim 44** in light of Freed. Accordingly, the Applicants will address the rejection of **claim 41** rather than the rejection of **claim 44**.

Claims 31 and **41** make reference to at least one respective device model agent being at least one of: implemented as a device proxy and implemented in a device proxy within an applications server.

In this regard, the Office Action stipulates that this subject matter is not disclosed by Goldstein and cites lines 2-6 of paragraph 42 of Freed.

However, while the cited lines include the word --proxy-- and indicate that a secure sockets layer (SSL) device **acts as a proxy for one or more servers** and that a client recognizes the device as the server, the cited portion of Freed **does not disclose or suggest** that a device model agent is either implemented as a device proxy or implemented in a device proxy within an application server, as is recited in **claims 31** and **41**.

For at least the foregoing reasons, **claims 31** and **41** are not anticipated and are not obvious in light of Goldstein and Freed.

Additionally, the Office **has not met its burden** of presenting a *prima facie* case of obviousness. For example, in an apparent effort to justify the combination, the Office Action asserts that “one of the ordinary skilled in the art would be motivated to be able to configure a device to act as a proxy or the client can recognize the device as the server.”

As best as this can be understood, it is an assertion that one would be motivated to make the suggested combination. However, it does not suggest a reason why someone would be motivated to make this combination. Accordingly, the Office has not met its burden of presenting a *prima facie* case of obviousness, and **claims 31** and **41** are not anticipated and are not obvious in light of Goldstein and Freed.

Still further, it is respectfully submitted that the only motivation for combining subject matter from lines 2-6 of paragraph 42 of Freed with subject matter from Goldstein is information gleaned only from the present application. Accordingly, the rejection of **claims 31** and **41** is based on impermissible hindsight reasoning and again, **claims 31** and **41** are not anticipated and are not obvious in light of Goldstein and Freed.

Telephone Interview

In the interests of advancing this application to issue the Examiner is invited to telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

Claims 26-44 remain in the application. For at least the foregoing reasons, the application is in condition for allowance. Accordingly, an early indication thereof is respectfully requested.

☒ Remaining Claims, as delineated below:


(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	19	- 25 =	0
INDEPENDENT CLAIMS	2	- 4 =	0

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

Respectfully submitted,

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